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PARLIAMENTARY
COSTS.

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PARLIAMENTARY COSTS.

ANALYSIS AND PARTICULARS

OF A

SOLICITOR'S BILL OF COSTS

IN RESPECT OF OBTAINING A

RAILWAY ACT.

BY W. NORRISSE LIBRARY OF THE

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MAY 23 1932

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L O N D O N :

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INDEX.

Page		Nos. in Example Bill.
19	AFFIDAVITS	113, 114
20	APPLICATIONS to Owners, &c.	52 to 57, 59
16	" Posting	62, 63, 66, 67
10, 15	" Serving	61, 64, 68
8	ATTENDANCES, on General Business	
10	" at Houses of Parliament	
11	" before Examiner. (See PROOFS.)	
14	" before Referees, (Not stated in "List of Charges.")	158
12	" before Committees	132, 150, 152, 154
14	" on Chairman of Committee, or other Officers of Parliament	
14	" on Members	124
14	" on Counsel	177 to 181
15	" to deposit Documents or Petitions	48 to 50
17	" on Taxing Officer	
16	" at Post Office with Notices	67
16	" on Printer	19, 55, 78
16	" on Witness	114, 173
18	BILL, Drawing, &c.	71 to 81
22	" Examining Prints of	79 to 81
23	" Filling up amendments, &c.	
26	BILL OF COSTS, Solicitor's	
50	" Country Solicitor's	
18	BOOK OF REFERENCE	32 to 41
24	" Copies allowed	
49	" Printed Copies used as M.S.	
19	BRIEF	156
19	CASE for Counsel's Opinion	
20	CERTIFICATE, Lord Chairman's (or Speaker's)	204 to 206
59	" Speaker's, as to Costs	
24	Circulars	
16	Clerks, attendances of	123
14	" " before Committee	
12	COMMITTEES, Attendances before	169 to 192
21, 24	COPIES OF DOCUMENTS	
14	COUNSEL, Attendances on	177 to 181
19	" Case for Opinion of	
15	DEPOSIT of Documents	43 to 50
9	" of Money	104, 105
49	DISBURSEMENTS	
18	DOCUMENTS, Drawing	
23	" Making up for deposit	44, 45
20	ENGINEER	10, 12, 26, 51, 70, 76, 82, 84, 112a, 119, 137, 157
21	ENCROSSING Documents	
	EVIDENCE. It was resolved by the House of Commons, 16th February, 1864, "that the Minutes of Evidence on opposed private Bills be printed at the expense of the parties, whenever copies of the same be required." The Printer's Bill only can be charged.	
16, 19	" of a Witness	159 to 163

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Page		Nos. in Example Bill.
20	EXAMINER, on Standing Orders, proofs for	118
11	" Attendance before	121 to 123
	" House of Lords	196 to 198
22, 23	EXAMINING and making up Documents	
18	GAZETTE NOTICE	11 to 25
19	INDEX to Book of Reference	58, 69
23	Letters	
20	LISTS of applications to be served by a witness	61
18	" of Owners, Lessees, and Occupiers	93, 94
	" of persons who have returned written acknowledgments	
	LOCUS STANDI, objection to	151, 153, 155, 156, 158
	LORD CHAIRMAN, Remarks on Bill	144 to 146, 158a, 158b, 167
18	MEMORIALS, Drawing	
17	" Obtaining and Perusing	106 to 112
	" to Speaker, as to Taxation of Costs	60
	MINUTES. See "EVIDENCE"	
20	MOTIONS, Drawing Special	
18	NEWSPAPERS, Advertisements in	11 to 25
19	NOTES for Cross-Examination	
	NOTICES to Owners, &c. (See APPLICATIONS.)	
27	OPPOSING a Bill	
21	PERUSING Documents	1
19	PETITION, for Bill	89 to 92
15	" attending to Deposit	
19	" against, Drawing	
	" " Perusing, &c.	147 to 149
19	" in favour	139 to 143
19	" for Additional Provisions	
20	Proof of Standing Orders	118 to 123
19	Proofs of Witnesses	
14	REFEREES, Court of	165, 167a
9	REFERENCE Taking	26 to 30
	Report as to Level Crossings, &c.	135 to 137
19	Reports, &c., Drawing	
20	Requisition for Warrant	95 to 99
21	" for Lord Chairman or Speaker's Certificate	204 to 206
21	" for withdrawal of Petition	
21	Retainer for Counsel	
14	" attending with	
17	Sessional Fee	209
20	STANDING ORDERS, Proof of, before Examiner	118 to 123
	" Non-compliance with	128 to 132
19	STATEMENTS, &c., Drawing	130
19	SUBSCRIPTION CONTRACT	31
57	Taxation of Costs	
61	Taxation Act	
16	Telegraphic Message	
8	Time Charges	
21	WARRANT for Deposit	99, 100
20	" Requisition for	95 to 99
16	WITNESSES, Attendance on	
16	" " to be Sworn	41
57	" Scale of Charges for	
46	Wharnccliffe Meeting	163

ANALYSIS OF A BILL OF COSTS.

INTRODUCTION.

IN relation to any complex subject there are certain general principles, a knowledge of which assists the student in making himself master of the details.

Although the present subject is one of complex, and sometimes of apparently conflicting details, there is a general principle, which, by affording a reason for different scales of charges, will enable the student more readily to classify complex details in his mind, and also to determine for himself the proper scale of charge in respect of business for which there may be no exact precedent in books or lists of charges.

The remuneration of the solicitor in respect of an application to Parliament for a Railway Act, may be divided, as regards the major part of it, into two sets of charges, which may be termed *Time* and *Quantity*.

Time charges are those which relate to attendances before committees, or upon promoters or other parties

with whom it may be necessary to confer during the progress of the business.

Quantitative charges are those relating to drawing and copying the various documents prescribed by the Standing Orders of Parliament, or which may become necessary for other purposes in connection with the promotion of the Bill.

Both of *Time* and of *Quantitative* charges there are three classes, for which different scales of remuneration are allowed.

In respect of *Time*, there are certain attendances, such as before committees or officials of the Houses of Parliament, for which fixed sums are allowed. There are other attendances, including all business actually necessary to the promotion of the Bill, for which the allowance is on a scale about double that which is allowed in Courts of Law; and there is other business accessory to the proceedings, for which the charges allowed are the same as in Courts of Law.

In respect of *Quantity*, there are certain documents, for drawing and copying which the charges allowed are about double those allowed in Courts of Law; there are documents of an intermediate class, for which a lower scale of payment is allowed; and others for which the scale allowed is the same as in Courts of Law. Sometimes there are sub-divisions; as, for instance, in respect of copies of the Book of Reference, the charge allowed for a certain number of copies is 9d.; for a certain other number, 6d.; and for all other copies which may be required, 4d. per folio of 72 words.

The general principle out of which these differences of charge arise is this :—That a higher scale of remuneration is awarded in respect of those portions of the business which are immediately and necessarily connected with the actual proceedings in Parliament. As the business done, although it may be accessory to, becomes less directly connected with the Parliamentary proceedings, the scale of charges is reduced ; and in respect of business which may be necessary as between the promoters and others, but which is not recognised as appertaining to the Parliamentary proceedings, the charges allowed are the same as in Courts of Law. And this is perfectly reasonable; because the business to which the highest scale of remuneration is awarded, requires special knowledge, involves heavy responsibilities, and must be completed by certain days fixed by the Standing Orders, or transacted at times arbitrarily fixed by committees or officials of Parliament. Even when a high rate of payment is allowed for the mere mechanical work of copying documents, it is because the copies have to be deposited at specified times in Parliamentary or other public offices, and even a very slight error, or the delay of one minute beyond the time appointed might be fatal to the proceedings.

The following scale of charges (pp. 8 to 25), is made out in accordance with the list of charges authorised by the Speaker. The arrangement, especially as regards the classification of documents, is new, and it is hoped will be found useful.

TIME AND ATTENDANCES.

For attendances at the Houses of Parliament, or upon Committees, or officials thereof, specific charges are allowed, which will be found under their proper heads in the following pages.

The time of the Solicitor engaged upon Parliamentary business is rated at 13s. 4d. per hour. For a short attendance he is allowed 6s. 8d. ; if engaged an hour, or nearly an hour, 13s. 4d.; over one hour £1 1s. ; or per hour 13s. 4d.

This scale of charge applies, except as stated below, to all business connected with the promotion of the Bill.

On a journey from home he is allowed £4 4s. per day ; £1 1s. per day for hotel expenses, and the fares actually paid.

The day charge includes all work done during the day ; but letters written, or other work done at night, after being engaged all day, may be charged.

On Sundays, hotel expenses only allowed. If, however, Sunday or a night, be spent in travelling, it is usually charged as a day.

EXCEPTIONS.

If a Solicitor employ himself in taking the Reference, or in delivering notices, or in other work which is properly the work of a clerk, he can only charge for the same on the scale allowed for clerks, viz. : £1 11s. 6d. or £2 2s. per day.

Any charges included in a Bill of Costs for proceedings previous to preparing for complying with the Standing Orders (such as preliminary correspondence, or conferences with the Promoters and others), should be made out according to the scale allowed in Courts of Law.* The same rule applies also

* See Bill of Costs, in which it will be perceived that all the charges preceding item No. 10 are on the scale allowed for ordinary law business.

to other proceedings (such as arrangements with Contractors, or negotiations for inducing existing Companies to become Promoters), which may be necessary as between the Promoters and other parties, but which do not constitute a part of the proceedings as between the Promoters and Parliament.

RAISING THE DEPOSIT MONEY.

Parties promoting a Bill in respect of which a deposit of money is required, are presumed to be prepared with the requisite sum; and neither the charges of the Solicitor for negotiating an advance of the money, nor any sum paid as bonus for, or interest thereon, are recoverable as Parliamentary costs. For this, and for some other business above referred to, the solicitor may have a claim at law against those by whom he was instructed; but, unless by special arrangement, he will have no claim against other parties by whom the Bill may be taken up. If, however, the deposit money be raised by means of a Subscription Contract, that document will constitute a portion of the Parliamentary proceedings, and all business connected with it will be legitimately chargeable as Parliamentary costs.

TAKING THE REFERENCE.

In collecting materials for the Book of Reference, two Clerks generally go together,* and the charge allowed for each clerk is £1 11s. 6d. per day and his expenses. A charge is also allowed, according as the case may warrant, of £2 2s. per day and expenses for a Managing Clerk, superintending, instructing, and corresponding with the various Reference Clerks.

Letters of enquiry respecting Ownership of Properties are charged 5s. each.

* See "Railway Bill Remembrancer."

SERVING NOTICES.

For Clerks serving Notices, £1 11s. 6d. per day and expenses are allowed.

For attending at Post Office, registering and posting Notices, and taking Receipt, 13s. 4d.

The Solicitor is expected to adopt the most economical method of service consistent with his being able to prove due compliance with the Standing Orders.

ATTENDANCES AT THE HOUSES OF
PARLIAMENT.

FOR PROMOTERS.

To obtain Petition for Bill from Private Bill Office, and get the same presented, and Petition referred to Standing Orders' Committee, or Bill ordered, or other proceeding thereon, £1 1s.

First Reading of the Bill	} £1 1s. for each attendance in each House.
Second Reading	... ..
Consideration of Report	... ..
Third Reading	... ..
Consideration of Amendments made in the other House	... ..

Note.—The above charges will include the attendances upon Members at the House, who are to present Petitions, or to move any stage of the Bill in the House, and the drawing the requisite motions, and also the attendances upon officers of the House in reference to matters connected with any stage of the Bill or other proceeding; except under special circumstances.

All other special attendances in reference to other proceedings in the House may be charged according to the circumstances of each case, in conformity with such parts of this list as may be applicable thereto.

BEFORE EXAMINER.

UNOPPOSED CASES.

To prove compliance with Standing Orders and
obtaining endorsement by Examiner: £ s. d.

For every day on which a Petition for a Bill is on
the Examiner's Daily List, but is not called on 2 2 0

When the case is heard 3 3 0

If adjourned for further proofs, each subsequent
attendance when the Examiner shall enquire
into the same, or attending to apply for post-
ponement or adjournment 1 1 0

To prove compliance with the Standing Orders in the
case of Bills from the House of Lords, Petitions
for additional provision, or Bills introduced in
lieu of other Bills which shall have been with-
drawn 1 1 0

OPPOSED CASES:

For every day on which Memorials complaining of
non-compliance with the Standing Orders are
inquired into by the Examiner (according to
circumstances) from £3 3s. 0d. to 5 5 0

For entering Appearances upon Memorials before
the Examiner, and watching proceedings in
case such Memorials are not called on, each
day from £2 2s. 0d. to 3 3 0

Note.—When an agent or solicitor appears and attends
for two or more Memorials, complaining of non-
compliance with the Standing Orders, on behalf of
the same clients, against the same Bill, he will be
entitled to charge one day's attendance only in respect
of the same.

	£	s.	d.
For every day on which a Petition for a Bill is on the Examiner's Daily List, but is not called on	2	2	0

Note.—When two or more Petitions for Bills, being promoted or opposed by or on behalf of the same clients, are appointed for consideration by the same examiner on the same day, but are not called on, the agents and solicitors of such clients respectively will not be entitled to such charge in respect of each Petition for a Bill so promoted or opposed, but may charge any sum not exceeding £1 1s. for additional trouble (if any) in respect of each other Petition for a Bill on the same list; provided that in no case (except under special circumstances) shall a charge exceeding £5 5s. be made in respect of one such day's attendance on behalf of the same clients.

For every day on which Memorials complaining of non-compliance with the Standing Orders in the case of Bills from the House of Lords, Petitions for additional provision, or Bills introduced in lieu of other Bills which shall have been withdrawn are inquired into by the Examiner			
from £2 2s. 0d. to	3	3	0

ATTENDANCES BEFORE COMMITTEES.

Attending the Standing Orders Committee each day in which the case is on the List, and is heard, postponed, or adjourned	2	2	0
Attending the Committee of Selection, or the General Committee on Railway and Canal Bills when required to attend with reference to the Grouping of the Bill, or the appointment of the Committee, or on other special and necessary occasions ...	2	2	0

COMMITTEE ON THE BILL.

UNOPPOSED BILLS.

Attending when the Bill is considered by the Committee... ..	from £3 3s. to	5	5	0
Attending the Committee to apply for a Postponement or Adjournment		1	1	0

OPPOSED BILLS.

	£	s.	d.
Attending the Committee every day on which the Bill is considered by the Committee, from £3 3s. to	5	5	0

When the parties appear by or without Counsel and the Preamble is considered by the Committee from £3 3s. to	5	5	0
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When the Clauses of the Bill are considered by the Committee from £3 3s. to	5	5	0
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Note.—When an Agent or Solicitor appears and attends for two or more Petitions against a Bill, on behalf of the same clients, he will be entitled to charge one day's attendance only in respect of the same.

Attending to watch Proceedings of a Committee on a Group of Bills, when the Bill in respect of which the Agent or Solicitor is concerned stands for consideration, but is not considered by the Committee, per day :—

Promoters	2	2	0
Opponents	1	1	0

Note.—In no case (except under special circumstances) must a charge exceeding 5*l.* 5*s.* be made in respect of attending to watch proceedings in the case of Petitions against a Bill, previously to such Petitions being considered.

Attending to withdraw a Petition	2	2	0
---	---	---	---

Note.—When two or more Bills, being promoted or opposed by or on behalf of the same clients, are appointed for consideration by the Committee on the same day, but are postponed or adjourned without being considered, or are not separately considered by the Committee, the agents or solicitors of such clients respectively will not be entitled to such charge in respect of each Bill so promoted or opposed ; but may charge any sum not exceeding 1*l.* 1*s.* for additional trouble (if any) in respect of each other Bill so postponed or adjourned, or not separately considered ; provided that in no case (except under special circumstances) shall a charge exceeding 5*l.* 5*s.* be made in respect of one such day's attendance upon the Committee on behalf of the same clients.

No charge is allowed for attendance of a clerk to the Solicitor on a Committee, except for the purpose of being examined as a Witness.

ATTENDANCES BEFORE REFEREES

May be charged the same as before Committee on the Bill.

OTHER ATTENDANCES, AT THE HOUSE, OR ELSEWHERE.

	£	s.	d.
Special attendances upon Mr. Speaker or the Chairman of the Committee of Ways and Means, in reference to any Bill	1	1	0
Attending Members at the House on special and necessary occasions (other than moving the stages of the Bill)	1	1	0
First attendance on Mr. Speaker's Counsel to go through Bill	1	1	0
Subsequent attendances	0	13	4
Special attendances (not included in the Sessional Fee) upon Mr. Speaker's Secretary or other Officer of the House	0	13	4

Note.—Where more than one of the above attendances at the House take place on the same occasion with reference to the same Bill, not more than £1 ls. to be charged for all such attendances unless the time occupied shall exceed one hour.

At Consultation with Counsel	1	1	0
On Counsel, at Chambers, with Retainer; Brief; to fix Consultation and pay Fee; with and for Draft Bill; and other Attendances when Fees are paid to Counsel	0	10	0

	£	s.	d.
Attending at the Private Bill Office to deposit Plan, Section, and Book of Reference	1	1	0
Other Attendances at the House or Offices thereof. .	0	13	4
Attending to deposit other Documents required by the Standing Orders to be deposited (except Bills, Amendments, &c., the deposit of which, in certain cases, is included in the Sessional Fee).	0	13	4
If at a distance, and for deposits with Parish Clerks, &c. (if numerous), Clerk's time and expenses are to be charged instead of the preceding.			

Note.—The charge for attending to deposit includes any charge for drawing a Memorandum of Documents deposited, and obtaining signature of the Depositor thereto, and the requisite copies of the same, except the same shall exceed one folio, when 1s. 4d. per folio may be charged for drawing the same, and 6d. per folio for copies to hand in to Examiner or other requisite copies; it also includes the drawing and obtaining the Certificate or Receipt for such deposit.

Attendances for the purpose of deposit cannot be charged both by Parliamentary Agent and Solicitor.

Attending at the Private Bill Office to deposit Petitions in favour of or against any Private Bill, and registering the same, viz. :—

If one Petition, or less than three	0	13	4
If three Petitions, and less than seven	1	1	0
If seven Petitions, and less than twelve	1	11	6
For any number exceeding twelve	2	2	0

Note.—The endorsing Petitions and preparing the same for deposit are included in the above Fees except when the same are prepared by the Solicitor, when from 3s. 4d. to 6s. 8d. is allowed for endorsing a Petition or set of Petitions, and transmitting the same to the Parliamentary Agent for the purpose of deposit (except when included in the Sessional Fee).

	£	s.	d.
On Taxing Officer, for the purpose of Taxation of a Bill of Costs 13s. 4d. to	2	2	0

Note.—No charge is allowed for copies of a Bill of Costs for Taxation, except when necessarily made for the purpose of depositing the same in the Taxing Office.

On a Witness settling his Proof (if necessary) ...	0	6	8
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Note.—If attendance requisite on many Witnesses on the same occasion, a charge to be made according to time occupied.

The attendance on a Witness for the purpose of settling an Affidavit is included in the charge for drawing Affidavit.

The attendance on the Witness previously to drawing his Proof, is included in the charge for instructions for Proof.

With a Witness to be sworn	0	6	8
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At Post Office registering and posting Applications and taking Receipt	0	13	4
--	---	----	---

Note.—The applications to Owners, Lessees and Occupiers should be made by post, if practicable, and more economical.

Where personal service is required, a Clerk's time and expenses for the purpose of such service may be charged, except where such service can be more economically made through local Agents.

Preparing and despatching Telegraphic Message ...	0	10	0
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On Printer with instructions	0	6	8
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Note.—When attendance to order proofs is charged, no charge is allowed for subsequent attendance to obtain proofs.

No attendance to be charged for ordering further additional copies.

ATTENDANCES OF A CLERK.

Before a Committee or the Examiner to give evidence	0	10	6
--	---	----	---

	£	s.	d.
If in favour of or against an opposed Bill, or in support of, or against Allegations of a Memorial	1	1	0

To order and obtain copies of a Petition or Petitions in favour of, or against a Bill or other Documents	0	6	8
--	-----	-----	-----	-----	-----	-----	-----	-----	---	---	---

Note.—Only one attendance is allowed to be charged for ordering and obtaining any number of Petitions against the same Bill at the same time.

Other Attendances of a Clerk	0	6	8
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SESSIONAL OR SOLICITATION FEE

FOR SOLICITING THE BILL FOR THE PROMOTERS BY THE
SOLICITOR, WHEN A PARLIAMENTARY AGENT
IS ALSO EMPLOYED.

When the Bill has received the Royal Assent, £10 10s. 0d.

[In case the Bill should not receive the Royal Assent, a Sessional Fee of Two Guineas and upwards may be charged according to the Class of Bill, and the progress made through its several stages.]

The Sessional Fee of the Solicitor will include all charges for his ordinary communications with the Parliamentary Agent, with reference to the progress of the Bill through its various stages, when no professional advice or instruction is given; delivering Documents to Parliamentary Agent for deposit; Attendances at the offices of the House to ascertain the position of the Bill; Attendances at the office for Sale of Parliamentary Papers; Attendances at the House to watch proceedings; and at the Royal Assent.

When no other Parliamentary Agent is employed, the Solicitor acting in that capacity will be entitled to the Sessional Fee of Parliamentary Agent, in lieu of that of Solicitor.

In cases of opposition to Bills, no Sessional Fee is allowed.

DRAWING DOCUMENTS.

Documents may be classed under three heads:—

1. Documents, copies of which are required, in pursuance of the Standing Orders of the House of Commons, to be deposited on or before a specified date, in Parliamentary or other public offices.
2. Other Documents recognised as necessary to the promotion of the Bill, either for deposit or for use, but for which the Standing Orders do not specify the date of deposit.
3. Miscellaneous documents, for which the charges are specified in the List of Charges.

* * * In all cases the charge for drawing a document includes a copy to keep, or for Counsel or Agent to settle.

DOCUMENTS OF THE 1st CLASS.

The charges allowed for drawing and copy for use are 2s. per folio; or, if under 11 folios, £1 1s. A charge for *instructions* only allowed where stated.

This class includes:—

ADVERTISEMENT (*Gazette* Notice)—Instructions 13s. 4d.

BILL—Instructions, £2 2s.

„ Additional clauses to—Instructions, 13s. 4d.

BOOK OF REFERENCE.

LISTS of Owners, Lessees, and Occupiers, with Assents, &c.

MEMORIAL of non-compliance with Standing Orders.
Instructions, 13s. 4d.

PETITION for leave to bring in Bill .

- „ for additional provisions in Bill
- „ for dispensing with Standing Orders
- „ praying to be heard by Counsel, *against*, Instructions, 13s. 4d.

DOCUMENTS OF THE 2ND CLASS.

The charges allowed for drawing documents of this class are,—under 11 folios, 13s. 4d.; over 11 folios, £1, or 1s. 4d. per folio. Instructions only allowed where named.

BRIEF; Instructions according to circumstances.

Note.—Documents copied into Brief, 6d. per folio.

CASE for opinion of Counsel.—Instructions, 13s. 4d.

INDEX to Book of Reference.

LIST of Persons who have sent written acknowledgments.

NOTES for Cross-examination.

PETITIONS in favour of Bill, and other Petitions in reference to Bill, not named in Class I.

PROOFS of Witnesses.—Instructions, 13s. 4d., which includes any previous attendance on Witness.

STATEMENTS, REPORTS, ABSTRACTS, or other documents, prepared for use in proceedings of the House, or in preparing to comply with the Standing Orders.

SUBSCRIPTION CONTRACT.

MISCELLANEOUS DOCUMENTS.

AFFIDAVITS; including attendance on Witness; each Affidavit with the List attached thereto, and copy, 10s., or per folio, 1s. 4d.; and 6s. 8d. for attending Witness to be sworn.

£ s. d.

APPLICATIONS (Notices to Owners, Lessees, and Occupiers) and copy for service, including the enclosed letter for acknowledgment of receipt, each Notice 0 10 0

Note.—The sum paid to the Printer for printing the forms is charged separately, and a charge is also made for Clerk's time for numbering, folding, and stamping the letters of acknowledgment.

CERTIFICATE, and attendance to get same signed ... 0 10 0

INSTRUCTIONS to Engineer, as to form and deposit of Plans and Sections 1 1 0

A similar charge may be made for Instructions as to new form of Estimate of Expense.

LIST of Applications to be served or posted by a Witness, and copy for signature, including obtaining his signature thereto, 3s. 4d. each List, or 1s. 4d. per folio. Charges for copying only allowed in respect of copies of such Lists for Examiner or other purpose.

MOTIONS, special for Members, and fair copy for Member 0 10 0

Note.—Charges for drawing or copies of all ordinary motions on the several stages of the Bill, and other proceedings in the House, are included in the Fees allowed for attendance at the House.

NOTICES; see Applications

„ OTHER, not in the Form A. in the Appendix to the Standing Orders 0 5 0

PROOFS OF STANDING ORDERS; filling up printed form, and arranging Lists, &c., referred to therein 3 3 0

PROOFS, subsequent to introduction of Bill 2 2 0

REQUISITION for Warrant for Deposit of Money, and copy for signature 0 10 0

	£	s.	d.
Requisition for Withdrawal of Petition or Memorial	0	10	0
„ for Certificate of Speaker	0	10	0
RETAINER for Counsel	0	10	0
SUMMONS for Witness, and copy for service	0	5	0
WARRANT; and attending to get same signed... ..	0	10	0
OTHER DOCUMENTS connected with the case, and not specified in any of the above classes, per folio	0	1	0

PERUSALS.

Perusals, generally, should be charged by the time occupied, but if per folio not exceeding	0	0	4
Obtaining and perusing Report of Board of Trade on Bill	0	10	6
Perusing a Petition or Memorial against Bill:			
If under 20 folios	0	6	8
If above, per folio	0	0	4

COPIES OF DOCUMENTS.

Books of Reference, Lists of Owners, Lessees and Occupiers, and other similar Documents required by the Standing Orders to be deposited:			
For the copies so deposited, when deposited in Manuscript, per folio (of 72 words or figures)... ..	0	0	9
For such copies of other Documents as are included in Table (A.) annexed, per folio... ..	0	0	6
For engrossing Petitions, Memorials, and other Parliamentary Documents: per folio	0	0	9
For copies of Documents not included in Table (A.): per folio	0	0	4

Note.—For the number of copies allowed to be charged
at 9d. and 6d. per folio, *vide* Table (A.) page 24.

In cases where Minutes of Evidence are printed, copies of the same are not allowed to be charged, but only the cost of printing and the necessary attendances on the Printer.

EXAMINING PRINTED DOCUMENTS.

PRINTS OF BILLS :

	£	s.	d.
Proofs	0	13	4
or, per page of print	0	1	0
Revises	0	6	8
or, per page of print	0	0	6
Ordering proofs of Estimate or Declaration, examining same and all Revises, and return- ing same to the Printer, with instructions to print	0	13	4

NOTICES IN GAZETTE AND NEWSPAPER.

Each Newspaper :

Forwarding Notice to Printer with instructions ...	0	6	8
Examining proof, 3s. 4d. to	0	10	0
Returning proof, and ordering insertion for three weeks, or otherwise	0	6	8
Examining Notice on each insertion	0	3	4

If a Revise is necessary, an addition for order-
ing Revise and examining same of each

Revise	0	10	0
---------------	---	----	---

No other or further charge is allowed with
reference to printing the Notice.

MAKING UP COPIES OF BILLS AND FILLING UP AMENDMENTS.

Blanking Bill, Drawing Arrangement of Sections, and finally settling Bill for Printer	1	1	
---	---	---	--

	£	s.	d.
Making up Bill in Parliamentary form for House, and deposit of the same	1	1	0

Filling up Bills with Amendments :

For the first copy	} unless the Amendments be very numerous ...	{	0	6	8
For each other copy			0	3	4

If new Clauses or Amendments be added,
exceeding six folios, copies of the same
may be charged at 6d. per folio

Marking on print of Bill the Amendments made therein for Examiner	0	6	8
---	---	---	---

Note.—A manuscript copy of the Amendments is not
allowed to be charged.

Altering Bill as an Act, and attending Printer with instructions to strike off copies	0	10	6
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MAKING UP DOCUMENTS.

Examining and making up Plans and Books of Reference for the purpose of Deposit, each set.	0	10	6
---	---	----	---

„ Lists of Owners, &c., and other Docu- ments deposited therewith	0	10	6
---	---	----	---

The examining and making up the deposits for
the Parish Clerks to be charged according to
the time occupied.

LETTERS.

Letters containing professional advice or instruc- tions	0	5	0
--	---	---	---

If exceeding six folios in length	0	10	0
--	---	----	---

Other Letters	0	3	6
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Note.—The ordinary Correspondence between Parlia-
mentary Agents and Solicitors is not to be charged
to their Clients, but such letters only as contain
professional advice and instructions.

	£	s.	d.
Circulars	0	1	0

In cases for which no specific charge is stated, the charge is to be made out according to the time occupied.

TABLE (A.)

Copies allowed to be charged besides the Copy the charge for which is included in that for drawing.

PROMOTERS.

NUMBER OF COPIES.
At 9d. At 6d.
per Folio. per Folio.

Notices:

For *each* Gazette and Newspaper 0 ... 1

Book of Reference :

For *each* Deposit of entire Book of Reference (when deposited in Manuscript) 1 ... 0

Amongst Parish Clerks 1 ... 0

For marking Section for Applications ... 0 ... 1

Lists of Owners, Lessees and Occupiers; for

Deposit in Parliament 2 ... 0

Applications served by a Witness; for use

before Examiner 0 ... 2

Petition for Bill; Ingrossed Copy for deposit 1 ... 0

Bill; for Press 0 ... 1

Statement of Proofs; for use before Examiner :

For Agent 0 ... 1

For Solicitor... .. 0 ... 1

For Examiner 0 ... 2

Memorials :

For Agent 0 ... 1

For Solicitor... .. 0 ... 1

For Engineer (if necessary) 0 ... 1

NUMBER OF COPIES.
At 9d. At 6d.
per Folio. per Folio.

Statement for Standing Orders Committee:

For Committee and use 0 ... 3

Petition against Bill:

For Agent 0 ... 1

For Solicitor... .. 0 ... 1

For *each* Counsel (not exceeding three) ... 0 ... 1

Briefs:

For *each* Counsel (not exceeding three) ... 0 ... 1

Proofs of Witnesses:

For *each* Counsel (not exceeding three) .. 0 ... 1

For Witness (if required) 0 ... 1

Notes for Cross-examination:

For *each* Counsel (not exceeding three) . . 0 ... 1

OPPONENTS.

Memorial:

Ingrossed Copy for deposit 1 ... 0

For Agent 0 ... 1

For Solicitor... .. 0 ... 1

For Examiner 0 ... 2

Statement for Standing Orders Committee:

For Committee and use 0 ... 3

Petition against:

Ingrossed Copy for deposit... .. 1 ... 0

For Agent 0 ... 1

For Solicitor... .. 0 ... 1

For *each* Counsel (not exceeding three) ... 0 ... 1

Brief:

For *each* Counsel (not exceeding three) ... 0 ... 1

NUMBER OF COPIES.
At 9d. At 6d.
per Folio. per Folio.

Proofs of Witnesses :

For *each* Counsel (not exceeding three) ... 0 ... 1

For Witness (if required) 0 ... 1

Notes for Cross-examination :

For *each* Counsel (not exceeding three) ... 0 ... 1

The copies above enumerated are those ordinarily allowed to be charged. Any further copies of the Documents named in the foregoing Table, or any copies of Documents not named therein, which may be necessary for the case, are to be charged at the rate of 4d. per folio.

JOHN EVELYN DENISON,
Speaker.

House of Commons,
29th Feb., 1864.

BILL OF COSTS.

Bills of Costs are not always made out in strict accordance with the "List of Charges." Some portions of the business done in respect of which the Solicitor is only allowed the lowest scale of charges, may be of much greater value to the Promoters than the mere routine work of passing the Bill through Parliament. And when the position, reputation, and connections of the Solicitor, as well as his time and professional skill, are brought to bear, with practical effect, upon the success of an undertaking, the bare "taxed costs" would, in many cases, afford a very inadequate remuneration for the services rendered. Under such, or other exceptional circumstances, the clients being willing to pay, there is no impediment to the Solicitor receiving a more liberal remuneration than would be allowed by the Taxing Officer of Parliament. This may be arranged by allowing Parliamentary costs for all the business done, or by a more liberal allowance for certain important interviews or conferences, and a slightly increased

charge in respect of copies of documents, or other items which augment the sum total without the introduction of any charge which can be considered exorbitant. And instead of submitting the Bill to the Taxing Officer, it may be referred to some other person to say whether, under the circumstances, the charges are fair and reasonable.

The usual routine of railway business is such that a tolerably full Bill may be made up from the Letter Book and a very meagre Diary; but it is highly desirable, nevertheless, that the Diary should be well kept, and be full and explicit in its details. No one can record attendances or conferences so well as the principal or party attending, and he should either keep his own Diary himself, or dictate to a shorthand writer. For, whether a Bill of Costs is to be strictly taxed or not, every item of business done should be so described as to account for the time occupied, and justify the charge made for it.

Copies of all documents and vouchers for disbursements may be required to be produced before the Taxing Officer, and should therefore be preserved.

If more than one-sixth be taxed off a Bill the Solicitor is mulcted in the costs of taxation; but on the other hand anything omitted may be added at the time of taxation.

The following Bill of Costs, although more full than any hitherto published, contains only a small portion of the attendances and letters which would occur in an actual Bill; including, in fact, very few items beyond those which are common to nearly all Bills of Costs, when the Solicitor takes his full share of the work, as respects the division of labour between himself and the Parliamentary Agent.

FOR OPPOSING A BILL.

The charges allowed for attendances and letters are the same as for promoting a Bill in an opposed case; except

that the allowance for attending Committee on Bill when case is in the list, but not called on, is £1 1s., instead of £2 2s. Time and journies are allowed respectively 13s. 4d. per hour, and £4 4s. per day, as for promoters.

Perusing and comparing *Gazette* Notice, print of Bill or other documents, may be charged by time, or per folio as for promoters.

If Clerks are employed to check the Reference, their time may be charged at the same rate as for taking the Reference.

The charges for Memorials, Petitions, or Statements may be found through the index.

Briefs and attendances upon Counsel same as for promoters.

In Parliament.

SESSION 1866.

THE EAST CENTRAL RAILWAY.

The EAST CENTRAL RAILWAY COMPANY in account with MR. CHARLES OLDEN as to an application to Parliament for the EAST CENTRAL RAILWAY Act, 1866.

- 1.* Having received letter from Mr. D. of , informing me that it was intended to apply to Parliament for an Act to construct a Railway from G to D , enclosing statistics of the district and other information respecting the same, requesting to know whether I would undertake the conduct of the Bill, and also whether I would confer with Mr. P., the Secretary of the Railway Company, thereon, with a view of obtaining the support of that Company;—perusing and considering letter £ s. d. and documents 0 6 8

* For convenience of reference through the Index, numbers are here inserted where the dates should be.

	£	s.	d.
2. Writing Mr. D. in reply	0	3	6
3. Making fair copy of Mr. D.'s letter and enclosures, fol. 15, and writing Mr. P. therewith and thereon	0	10	0
4. Having received reply from Mr. P. that he was disposed to take the matter into consideration, and that he could see me at 2 o'clock on Tuesday or Wednesday next;—making copy of his letter, and writing Mr. D. therewith, requesting that if convenient he would come to town and wait upon Mr. P. along with me ...	0	5	0
5. Mr. D. having arrived in town, attending him in long conference as to future proceedings, and the explanations to be given to Mr. P., nearly two hours... ..	0	13	4
6. Attending with him upon Mr. P., when the proposed undertaking was fully discussed, and Mr. P. ultimately promised to introduce the subject to his Board, recommending us in the mean time to see Mr. H., one of his Directors; engaged nearly three hours... ..	1	1	0
7. Attending with Mr. D. upon Mr. H., one of the Directors of the Railway, explaining the proposed undertaking, when after fully discussing the subject with him, he stated that he would recommend his Board to seal the Petition for the Bill; but it would be a matter for future consideration as to what further support they would render. Afterwards attending Mr. R., C.E., introducing the project to his notice with a view to his undertaking to get up the plans and sections;—engaged half the day... ..	1	1	0

	£	s.	d.
8. Again attending Mr. D., and Mr. R., C.E., discussing and arranging future proceedings, engaged nearly two hours	0	13	4
9. It having been suggested by Mr. D and the Engineer that I should go over the route of the proposed line with them to view the country, to call upon some of the parties locally interested, and to confer with the promoters as to future proceedings. Journey for that purpose : From home three days	6	6	0
Hotel expenses	3	3	0
Railway Fares and Hire of Conveyances ...			
10. Instructions to Engineer, as to form, &c., of Plans and Sections	1	1	0
11. Attending Parliamentary Agents, discussing the form and the provisions to be embodied in the <i>Gazette</i> notice, upwards of one hour... ..	1	1	0
12. Attending Engineer, as to the descriptions of the termini, and other particulars required for <i>Gazette</i> Notice	0	13	4
13. Managing Clerk engaged going over the district traversed by the proposed Line, ascertaining the names of the various Townships, Parishes, &c., and checking descriptions of termini for the <i>Gazette</i> Notice. Engaged four days.*	8	8	0
Paid his travelling, tavern, and other expenses. Paid for Ordnance (or other) Maps for his use.			
14. Instructions for <i>Gazette</i> Notice	0	13	4
Drawing same, £1 1s.; or per folio	0	2	0
15. Attending Parliamentary Agents therewith and thereon	0	13	4
* See "Railway Bill Remembrancer." Article, <i>Gazette</i> Notice.			

- | | £ | s. | d. |
|--|---|----|----|
| 16. Making Copies Draft <i>Gazette</i> Notice (<i>for Engineer, local Solicitors, or others whom it may be desirable to consult thereon</i>), per folio | 0 | 0 | 4 |
| 17. Letter to Mr. , with Copy of <i>Gazette</i> Notice | 0 | 5 | 0 |
| (<i>Same with each Copy of Notice.</i>) | | | |
| <i>Note.</i> —Here will occur several attendances on Engineer and Parliamentary Agents or others, discussing and finally settling <i>Gazette</i> Notice. | | | |
| 18. Making fair Copies of <i>Gazette</i> Notice (<i>One for the “ Gazette,” and one for each newspaper.</i>) each copy, per folio | 0 | 0 | 6 |
| 19. Attending with Copy of Notice at (or forwarding same to) Office of Newspaper, instructing Printer to set up and send proof | 0 | 6 | 8 |
| <i>The like to each newspaper.</i> | | | |
| <i>Note.</i> —In a case of pressure for time, it may be necessary to send a Clerk to the office of a country newspaper to superintend the first insertion of the Notice ; and if the pressure have not been caused by the neglect or delay of the Solicitor, the Clerk's time and expenses may be charged. | | | |
| 20. On receipt of proof from Newspaper. Examining and correcting same ... 6s. 8d. to | 0 | 10 | 0 |
| 21. Attending with proof, ordering revise, and afterwards examining same (<i>when a revise is necessary</i>) | 0 | 10 | 0 |
| 22. Attending returning proof (or revise) and ordering insertion | 0 | 6 | 8 |
| 23. On receipt of Newspaper, containing first publication of Notice, examining same to enable me to prove Standing Orders, 3s. 4d. to | 0 | 6 | 8 |

Note.—These charges, 19 to 23, apply to each Newspaper and to the *Gazette*.

24. Writing Publisher of Newspaper, £ s. d.
reminding him of second insertion of Notice ... 0 5 0

25. Having received Newspaper, containing
second publication of Notice, examining same
to enable me to prove Standing Orders, 3s. 4d. or 0 6 8

Note.—These two charges apply to the second and third
insertions of the Notice in each Newspaper.

26. Attending Engineer, instructing him to pre-
pare tracings, and afterwards to receive same... 0 13 4

27. Paid for Reference Books for Clerks.

28. Two Clerks engaged collecting materials for
the Book of Reference on Railway No. 1, in
the Parish of , days (per day,
for each Clerk) 1 11 6

Paid their travelling, tavern, and other expenses.

Two other Clerks similarly engaged on Railway
No. 1, in the Parish of

(In like manner describing the whole of the work done).

29. Managing Clerk, engaged superintending, in-
structing, and corresponding with Reference
Clerks, days, per day 2 2 0

Paid his travelling and other expenses

30. Writing letters of enquiry respecting the
ownership of various properties, per letter ... 0 5 0

Note.—Charges will occur here for Clerks attending
Engineer, and at the Lithographer's office, to examine
and correct the numbering on the Plans, at the rate
of £1 11s. 6d. per day.

31. Instructions for Subscription Contract 0 13 4
Drawing same, per folio 0 1 4

Note.—Charges will occur here for attending promoters
settling Subscription-Contract, engrossing same for
signature, and other business connected therewith.

	£	s.	d.
32. Drawing Book of Reference and fair copy, fol. , per folio... ..	0	2	0
33. Making two fair copies of Book of Reference for deposit with the Clerk of the Peace for the County of , per folio, each	0	0	9
(See p. 49—"Disbursements.")			
34. Making two copies of <i>Gazette</i> Notice to annex, per folio*... ..	0	0	8
<i>The like charges will be made in respect of each Clerk of the Peace.</i>			
35. Making Copy of Book of Reference for division amongst the several parishes, 9d. <i>per folio</i> , but <i>usually charged 1s. per folio, on account of the extra trouble.</i>			
36. Making copies of <i>Gazette</i> Notice to annex, per folio (<i>See foot note.</i>)	0	0	8
37. Making Copy of Book of Reference for deposit at the Board of Trade, per folio... ..	0	0	9
38. The like for deposit in the Private Bill Office, per folio	0	0	9
39. The like for deposit with the Clerk of the Parliaments, per folio	0	0	9

* Although this charge is usually made, it is not strictly regular, printed copies of the *Gazette* Notice being always deposited. It is also not absolutely required that more than one copy of Book of Reference and *Gazette* Notice should be deposited with each Clerk of the Peace.

	£	s.	d.
40. The like for deposit with the Metropolitan Board of Works (<i>if required</i>), per folio	0	0	9
<i>Note.</i> —A Copy of the Book of Reference for the Engineer to mark the sectional embankments and cuttings; another copy for his own use; and a copy for the Parliamentary Agent, are charged 6d. per folio each. Any further copies necessary for the use of those parties, or for local Solicitors and others, are to be charged at 4d. per folio.			
41. Paid for Covers for Books of Reference, and binding same.			
42. Attending Engineer, instructing him as to Plans, Sections, and published map for deposit with Clerks of Peace and Parish Clerks	0	13	4
43. Attending Parliamentary Agents, conferring as to deposits and generally hereon... ..	0	13	4
44. Making up sets of Plans, &c., for deposit with the Clerks of the Peace; each set	0	10	6
45. Making up Plans, &c., for deposit with the Parish Clerks (<i>to be charged according to time occupied</i>), per hour	0	13	4
46. Journey of Clerk to deposit Plans, &c., with Clerk of the Peace for the County of ; 2 days	3	3	0
Paid his travelling and other expenses			
Paid Clerk of the Peace his Fees*			

* It is doubtful whether the Clerk of the Peace can legally demand more than £1 1s. The usual fee, however, is £2 2s., and sometimes £3 3s., or even more is demanded, with a threat that if not paid the plans, &c., will be pitched into the street. The fee of the Parish Clerk is 5s.

	£	s.	d.
47. Journey of Clerk to deposit Plans, &c., with Parish Clerks of the several Parishes; 3 days	4	14	6
Paid his travelling and other expenses			
Paid Parish Clerks their Fees			
48. Attending Parliamentary Agent with Plans, &c., for deposit at Board of Trade, and with him to deposit same*	0	13	4
49. The like at the Private Bill Office*	0	13	4
50. The like with the Clerk of the Parliaments* ...	0	13	4
50a. The like at the Admiralty*	0	13	4
51. Attending Engineer with Book of Reference, and instructing him to mark sectional embank- ments and cuttings	0	6	8
52. Drawing Notice to Owners, Lessees, and Occu- piers, fol. , (per folio)	0	2	0
53. Attending Parliamentary Agents settling same..	0	13	4
54. Making fair copy as settled for Printer, (per folio)	0	0	8
55. Attending Printer therewith, instructing him to print	0	6	8
56. Drawing form of Letter of Assent, Dissent, or Neutrality	0	3	4
57. Paid Printer his charges for printing Notices and Letters of Assent			

* Although these items are often charged, it is not strictly allowable that both Parliamentary Agent and Solicitor should charge for making the deposits. If the Solicitor make the deposits himself, he may charge for each £1 1s.

	£	s.	d.
58. Drawing Alphabetical Index to Book of Reference, with numerous columns for registering particulars as to service of Notices, &c. (per folio)	0	1	4
59. Instructions for drawing, and fair copy for Service, Notices to Owners, Lessees, and Occupiers of Property in the Parish of _____, in number, (each Notice)... ..	0	10	0
<i>The like in each Parish.</i>			
60. Clerks engaged _____ days, obtaining further information as to parties on whom Notices were to be served.* Paid their travelling and other expenses			
61. Drawing Lists of the Notices for the use of the Clerks serving the same (each List)	0	3	4
Or per folio	0	1	4
62. Drawing List of Notices to be sent by post	0	3	4
Or per folio	0	1	4
63. Making two fair copies thereof, one to be retained at the Post Office, and the other for production before the Examiner (per folio, each copy)	0	0	8
64. Clerks engaged _____ days numbering, folding, and stamping the Letters of Assent to be delivered with the Notices (per day each)	1	1	0
65. Paid for Postage Stamps for same			
66. Making up and directing the Notices to be sent by Post (time, per day)	1	11	6
67. Attending at Post Office with same, and afterwards for Receipt	0	13	4
Paid for Postage and Registration Stamps ...			

* See Railway Bill Remembrancer—"Additional Notices."

		£ s. d.		
68.	Clerks engaged days serving Notices in the Parish of , (per day each) ...	1	11	6
	Paid their travelling and other expenses... ..			
<i>The like in the several other Parishes.</i>				
69.	Clerks engaged days entering up date and manner of service of Notices in the Index (each per day)	1	11	6
70.	Attending Engineer, with form to be filled up as to road-crossings, &c., and instructing him thereon	0	13	4
71.	Instructions for Bill	2	2	0
	Drawing same, fol. (per folio)	0	2	0
72.	Attending Parliamentary Agents therewith and thereon	1	1	0
73.	Making * fair copies of Bill (per folio) ...	0	0	6
74.	Attending Engineer, conferring and instructing him as to form and particulars of Estimate of Expense	1	1	0
75.	Writing Mr. with copy of Bill	0	5	0
76.	Attending Engineer, going through draft Bill with him, engaged upwards of one hour	1	1	0
<i>Note</i> — Numerous attendances upon Parliamentary Agent and others will occur here, discussing clauses of Bill, and finally settling same.				
77.	Fair copy of Bill for Printer, per folio	0	0	6
78.	Attending him therewith, ordering proof	0	6	8
79.	Having received proof, examining and correct- ing same, per page of print	0	1	0

* For any parties whose opinion it may be necessary to take thereon.

	£	s.	d.
80. Attending Printer therewith, instructing him to make corrections and strike off 6 revises	0	6	8
81. Examining Revises, per page of print	0	0	6
82. Having received from Engineer Estimate of Expense, perusing and examining same, as to its being in the form required by the Standing Orders	0	6	8
83. Making two fair copies thereof for signature by Engineer (per folio each)	0	0	8
84. Attending Engineer, obtaining his signature thereto	0	6	8
85. Making another fair copy for Printer (per folio)	0	0	6
86. Attending Printer therewith, instructing him to print	0	6	8
87. Having received proof, examining and correcting same (or according to time occupied)			
	6s. 8d. to	0	13 4
88. Attending Printer, with corrected proof, ordering him to print copies	0	6	
89. Drawing Petition for leave to bring in Bill, and fair copy	1	1	0
90. Attending Parliamentary Agent settling same...	0	13	4
91. Engrossing same	0	10	0
92. Parchment			

Note.—Attendances (or letters, if sent by post) obtaining signatures or seals to Petition for Bill will occur here.

	£	s.	d.
93. Drawing Lists of Owners, Lessees, and Occupiers separately and in tabular form, shewing the assents, dissents, and neuters; fol , per fol. ...	0	2	0
94. Engrossing same in duplicate for deposit, per folio, each copy	0	0	9
95. Attending Parliamentary Agent as to requisition for Warrant for deposit	0	6	8
96. Drawing Requisition for Warrant to pay deposit into the Bank of England, and copy for signature	0	10	0
97. Attending Parliamentary Agents, settling same	0	6	8
<i>Note.—Attendances obtaining signatures to the Requisition will occur here; or letters, if the document be sent by post.</i>			
98. Fee on signing Certificate of Identity	0	6	8
99. Attending Parliamentary Agents with Requisition and bespeaking Warrant	0	6	8
100. Having received Warrant from Parliamentary Agents, signed, attending at Accountant-General's to deposit same and bespeak his directions, and again for same	0	13	4
101. Attending Broker, settling amount of Stock required, and making arrangements for transfer, engaged upwards of one hour	1	1	0
102. Letter to Mr. requesting his attendance at the time appointed for making the transfer ...	0	5	0
103. The like letter to Mr.	0	5	0
104. Attending at Broker's and at the Bank of England, with parties making transfer of deposit to the account of the Accountant-General, engaged three hours	2	2	0

	£	s.	d.
105. Attending at Accountant-General's bespeaking Office Copy Certificate of Deposit, and after- wards for same	0	13	4
106. Attending Parliamentary Agents to know if there were any Memorials deposited against this Bill, and bespeaking Copy of Memorial	0	6	8
107. Having received Copy of Memorial of against this Bill, perusing and considering same (Or if over 20 fol. 4d. per fol.)	0	6	8
108. Making Copies of Memorial (<i>for Engineer, Counsel, or other parties to whom it may be necessary to submit the same, 6d. per folio. Copy for use before Examiner 6d. per fol.</i>)			
109. Attending several of the Promoters conferring as to the various allegations contained in the Memorial against the Bill, engaged nearly three hours... ..	2	2	0
110. Drawing observations on Memorial for Parlia- mentary Agent (per folio)	0	1	4
111. Attending him thereon, upwards of one hour	1	1	0
112. Attending Memorialist (or his Solicitor) en- deavouring to arrange with him for the with- drawal of same, engaged upwards of one hour	1	1	0
112a. Attending Engineer, conferring as to allega- tions of Memorial and evidence to be produced to rebut the same	1	1	0
113. Drawing Affidavit of Mr. , as to applications to Owners, Lessees, and Occupiers, served by him (or 1s. 4d. per folio)	0	10	0

	£	s.	d.
114. Attending with Mr. , to swear his Affidavit	0	6	8
115. Making two copies of List of Applications served (or deposits made) by Mr. , for use on his attendance as a Witness before the Examiner, per folio	0	0	6
<i>Note.</i> —The charge allowed is 6d. per folio; but it is customary to charge 2s. 6d. to 5s. each for copies of short lists.			
116. Drawing Lists of Persons who had sent written Acknowledgments of the receipt of Applications, per folio	0	1	4
117. Fair Copy of same for Examiner, per folio ...	0	0	8
118. Perusing and filling up Statement of Proofs for Examiner on Standing Orders, arranging documents referred to therein, and attending Parliamentary Agent therewith	3	3	0
<i>Note.</i> —This is what is allowed in the List of Charges, but in a very large undertaking an additional charge is often made, for looking up, examining, and arranging the various documents. The Parliamentary Agent makes the copies of the statement of proofs for the Examiner.			
119. Attending Engineer, reading over Proofs, and arranging for his attendance before Examiner	0	13	4
120. Making Copy of Statement of Proofs, for own use before Examiner (per folio)	0	0	6
121. Attending before Examiner, case in the List, but not called on	2	2	0
<i>Note.</i> —This charge is repeated for each day the Bill is on the List, but not called on.			
122. Attending before Examiner to prove Compliance with Standing Orders (if Memorialist appear against)	5	5	0
If Unopposed	3	3	0

		£	s.	d.
123.	Attendance of Clerks to give evidence ...each	0	10	6
<i>Note.</i> —As to compliance with Standing Orders; but if evidence relate to allegations of a Memorial, £1 1s- for each Clerk.				
124.	Attending Mr. , M.P., explaining this undertaking to him and obtaining his permission to put his name on the back of the Bill	1	1	0
125.	Writing to Mr. , M.P., very long and special letter, asking the like permission	0	10	0
126.	Attending Parliamentary Agent with names of Members who had consented to bring in the Bill	0	6	8
127.	Attending Joint Committee of both Houses when it was decided that this Bill should commence in the Commons... ..	2	2	0
128.	Perusing and considering Examiner's Report as to non-compliance with Standing Orders	0	6	8
129.	Attending Parliamentary Agents thereon ...	0	13	4
130.	Drawing Statement for Standing Orders Committee, giving explanations and stating circumstances in favour of dispensing with Standing Orders 13s. 4d. to	2	2	0
131.	Attending Parliamentary Agent settling same 6s. 8d. to	0	13	4
132.	Attending Standing Orders Committee when they decided to report in favour of dispensing with the Standing Orders and allowing the Bill to proceed	2	2	0
133.	Attending House of Commons on presentation of Petition for leave to bring in Bill	1	1	0

	£	s.	d.
134. Attending House of Commons when Bill read 1st time	1	1	0
135. Having received Report from Board of Trade as to level-crossings and inclinations of roads, perusing and considering same	0	6	8
136. Making Copy thereof (per folio)	0	0	6
137. Attending Engineer therewith and thereon	0	13	4
138. Attending House of Commons when Bill read 2nd time	1	1	0
139. Attending Parliamentary Agent, conferring as to getting up Petitions from various parties in favour of this Bill, when it was decided to have Petitions from the inhabitants of the district and from the towns of and 	0	13	4
140. Drawing Petition in favour to be signed by the inhabitants of 	0	13	4
Or per folio	0	1	4
141. Attending Parliamentary Agents settling same	0	13	4
142. Engrossing same	0	10	0
Parchment			
<i>Note.</i> —Similar charges for each Petition in favour.			
143. Forwarded Petition and letter therewith to Mr. instructing him to obtain signatures thereto	0	7	6
144. Having received print of Bill with the Lord Chairman's remarks thereon, perusing and con- sidering same	13s. 4d. to	1	1 0

	£	s.	d.
145. Attending Parliamentary Agent thereon... ..	0	13	4
146. The like Mr. <i>(Promoters or others whom it may be necessary to consult)</i>	0	13	4
147. Having received copy of Petition of against this Bill, perusing and considering same (Or if over 20 folios, 4d. per folio.)	0	6	8
<i>Note.</i> —The like charge for each Petition against.			
148. Making copies of the Petition of <i>(For Engineer and other persons to whom it may be necessary to submit the same)</i> 4d. per folio.			
149. Letter to Mr. , with copy of Petition	0	5	0
<i>Note.</i> —Copies of all the Petitions against, for each Counsel, not exceeding three, are charged 6d. per folio.			
150. Attending General Committee on Railway and Canal Bills, laying copies of this Bill before Committee, when it was grouped with several other Bills	2	2	0
151. Attending Parliamentary Agent, conferring as to the Petition of against this Bill, when it was decided that there were sufficient grounds for disputing the <i>locus standi</i> of the Petitioner	0	13	4
152. Attending the General Committee on Railway and Canal Bills watching for appointment of Committee, but not appointed.	1	1	0
153. Drawing Statement of objections to <i>locus standi</i> of and fair copy	0	13	4
154. Attending General Committee of Railway and Canal Bills, when Committee was nominated for the group in which this Bill was included	2	2	0

	£	s.	d.
155. The th inst. having been appointed for the consideration of the <i>locus standi</i> of by the Referees; attending Parliamentary Agent settling proceedings in relation thereto...	0	13	4
156. Instructions for Brief	0	13	4
Drawing same... ..	0	13	4
Or per folio	0	1	4
<i>Note.</i> —Charges will occur here for attending Counsel with Retainer, Brief, Consultation, &c.			
157. Attending Engineer, conferring and bespeaking his attendance before Referees	0	13	4
158. Attending before Referees, case of <i>locus standi</i> proceeded with, and decided in favour of the Petitioner... ..	5	5	0
158 <i>a</i> . Having been requested by Parliamentary Agent to accompany him to go through Bill with the Lord Chairman and his Counsel; waiting 3 hours, Bill in list but not called on	2	2	0
158 <i>b</i> . Waiting for case to come on, and attending Lord Chairman going through Bill; engaged nearly 3 hours... ..	2	2	0
159. Attending Engineer as to his evidence before the Referees in promotion of this Bill	0	13	4
160. Drawing his Proof (1s. 4d. per folio)			
161. Attending him settling same	0	6	8
162. Making 3 fair copies of same (for Agent, Engineer, and Counsel), 6d. per folio each. ...			
163. Making another copy for Mr. , C.E., who was to corroborate the evidence of the Engineer (6d. per folio).			

	£	s.	d.
164. Attending Engineer and Mr. , C.E., in conference thereon ; upwards of one hour ...	1	1	0
165. Attending the Referees' Court, Bill in the list but not called on	2	2	0
<i>Note.</i> —This charge repeated each day the Bill is in the List and not called on.			
166. Having received second Report of Board of Trade, perusing and considering same	0	6	8
167. Attending Parliamentary Agents, going through Bill with the Lord Chairman's and the Board of Trade Reports	1	1	0
167a. Attending before Referees, case heard, the Railway Company appearing in opposition	5	5	0
168. Writing Mr. , reminding him to include this Bill in the Notice for the Wharncliffe Meet- ing of the Railway Company	0	5	0
169. Instructions for Brief in Committee (House of Commons) (<i>according to circumstances</i>)			
170. Drawing Brief (13s. 4d. per sheet of 10 folios)			
171. Copies of Brief for Counsel (not exceeding three) 6d. per folio... ..			
172. Copies of Petitions against (not exceeding three) 6d. per folio... ..			
173. Attending Mr. , taking notes of the evidence to be given by him in favour of this Bill	0	13	4
174. Drawing his proof (13s. 4d. per sheet of 10 folios)			
175. Attending him settling his proof	0	6	8

	£	s.	d.
176. Copies of his proof for Counsel (not exceeding three) 6d. per folio... ..			
<i>Note.</i> —The same for all proofs, and for further proof when required. 13s. 4d. per sheet is to be charged for drawing, and 6d. per folio for copying Statemen Abstracts, Statistics, or other documents required in carrying the case through Committee.			
177. Attending Mr. , (Counsel) with Brief and papers, and to pay his fee	0	10	0
178. Paid his Fee and Clerk (<i>sum paid</i>)			
179. Attending Mr. , to appoint consultation ...	0	10	0
180. Paid his Fee and Clerk (<i>sum paid</i>)			
181. Attending Consultation	1	1	0
182. Attending Committee: Bill on the list but not called on	2	2	0
<i>Note.</i> —This charge repeated for each day the Bill is in the list, but not reached.			
183. Attending Mr. (Counsel) bespeaking his attendance in Committee to-morrow	0	10	0
184. Paid his Fee and Clerk (<i>sum paid</i>)			
185. Writing letters to Witnesses, bespeaking their attendance in Committee to-morrow (each) ...	0	3	6
186. Attending Committee, case proceeded with ...	5	5	0
187. Attending Mr. (Counsel), appointing consultation early to-morrow morning	0	10	0
188. Paid his Fee and Clerk (<i>sum paid</i>)			
189. Attending Consultation	1	1	0

	£	s.	d.
190. Attending Mr. (Counsel) with Minutes of Evidence, bespeaking his attendance in Committee this day	0	10	0
191. Paid his Fee and Clerk (<i>sum paid</i>)			
192. Attending Committee, case proceeded with and concluded... ..	5	5	0
<i>Note.</i> —When the Bill is unopposed, the Solicitor is allowed to charge from £3 3s. to £5 5s. for his attendance when the Bill is considered by the Committee.			
193. Attending House when Report was considered	1	1	0
194. Attending House when Bill was read a third time and passed the Commons	1	1	0
195. Attending House of Lords when Bill read a first time, and referred to Examiners... ..	1	1	0
196. Drawing statement of proofs for Examiner, House of Lords, as to compliance with Standing Orders not previously enquired into, and collecting and arranging the documents which had to be produced	2	2	0
197. Attending Examiner, House of Lords—			
If Unopposed	1	1	0
If Opposed £2 2s. to	3	3	0
198. Clerk attending as a Witness	0	10	6
199. Attending House of Lords when Bill was read a second time and referred to Committee... ..	1	1	0
<i>Note.</i> —The charges in Committee, House of Lords, are the same as in the Commons.			
200. Attending House of Lords when Report was considered	1	1	0

	£	s.	d.
201. Attending House of Lords when Bill read a third time, and passed, and was sent back to the Commons	1	1	0
202. Attending House of Commons when Lord's amendments were considered and agreed to ...	1	1	0
203. Attending House of Lords when Bill was returned from Commons with amendments agreed to	1	1	0
204. Drawing Requisition to Lord Chairman for his Certificate of the Bill having received the Royal Assent and Copy for signature	0	10	0
205. Attending therewith for his signature and attesting same... ..	0	6	8
206. Attending Parliamentary Agent therewith, and instructing him	0	6	8
207. Numerous letters and attendances not before charged			
208. Postages, Cab Hire, and Petty Cash Expenses			
209. Sessional Fee	10	10	0

DISBURSEMENTS.

Under this head come the charges for advertisements in *Gazette* and Newspapers, Printers' Accounts, the Parliamentary Agent's Bill of Costs, and other expenses out of pocket not charged in the Bill.

The Book of Reference is nearly always printed ; but copies being charged, the printer's account cannot also be charged. In the "List of Charges" the copies allowed to be charged are supposed to be in manuscript; but the enforcement of that method of proceeding is so manifestly impolitic and inconvenient that it is not practically insisted upon.

BILL OF COSTS OF A LOCAL SOLICITOR.

The Promoters of the EAST CENTRAL RAILWAY in account with Mr. J. D., in respect of Promoting in Parliament the East Central Railway Bill.

£ s. d.

Oct., 1865.—Attending Mr. A. and Mr. G., on their calling to confer with me as to the desirableness of a line of Railway from to ; giving me the names of other parties who were also favourable to the project ; fully discussing the matter with them, and they requested that I would see Lord and Mr. B. on the subject. Engaged nearly two hours 0 13 4

Attending Lord at Castle, and after explaining to him the views of Mr. A. and others, his Lordship expressed himself as being favourable to the project, provided the line could be carried through his property in the way indicated by him. Engaged all day 2 2 0
Paid Gig Hire and Expenses 1 5 0

Attending Mr. B., giving him the like explanations as to the proposed line, and reporting the substance of my interview with Lord , when Mr. B. assented to become one of the Directors of the undertaking, and promised to see one or two other gentlemen on the subject. Engaged nearly three hours 1 1 0

Writing Mr. A. hereon... 0 3 6

	£	s.	d.
Attending Mr. A., fully reporting my interviews with Lord and Mr. B., when he informed me that he had also seen other influential parties, who expressed themselves as favourable to the project, and we decided to call a meeting at my Office, at 12 o'clock on the 15th inst. Engaged two hours... ..	0	13	4
Writing Mr. B., informing him of the intended meeting, and requesting him to attend, with any influential friends he could bring along with him	0	3	6
Attending, when several gentlemen called according to appointment, at my Office, and the matter having been very fully discussed, and five gentlemen having agreed to act as Directors, I was requested to write to Mr. Olden, Solicitor, of London, to know whether he would take the matter up, and would negotiate with the Railway Company for their support. Engaged three hours	1	1	0
Making Copy of Statistics and Statement which had been produced at the meeting by Mr. A., fol. 12	0	4	0
Writing Mr. Olden accordingly, fully explaining the position of the affair to him,—long and special letter, enclosing copy of Statistics and Statement which had been prepared by Mr. A. ...	0	6	8
Having received letter from Mr. Olden, asking whether I could go to London to confer with him, and accompany him to see the Secretary of the Railway; writing him in reply that I could do so any day next week	0	3	6

£ s. d.

Having received letter from Mr. Olden, informing me that he had appointed the 23rd inst. for us to see the Secretary of the Railway. Journey to London; attending him, conferring, and with him to the Secretary of the Railway, who gave us a favourable answer, and promised to introduce the matter to his Board at their next meeting; and next day attended Mr. , C.E., fully explaining the project to him, and he agreed to undertake the preparation of the Plans and Sections necessary for bringing the matter before Parliament. Engaged three days 6 6 0

Hotel Expenses 3 3 0

Cab and Railway Fares (*sum paid*)

Mr. , C.E., having arrived here, conferring with him and Mr. A. and Mr. B. on the general route of the line. Engaged three hours 1 1 0

The Engineer having expressed a wish to confer personally with Lord as to the route of the Line through his Lordship's property. Writing Lord for an appointment 0 3 6

Lord having appointed for us to call upon him this day, attending with Engineer in long conference, when the difficulty of strictly complying with his Lordship's wishes was pointed out, and after various suggestions had been raised and discussed, we ultimately arrived at an arrangement with which his Lordship was satisfied. Engaged all day 2 2 0

Carriage hire and Expenses... .. 1 10 6

	£	s.	d.
Writing Mr. Olden, explaining to him our interview with Lord , and requesting him to inform the Secretary of the Railway that we had arrived at an amicable arrangement with his Lordship, long and special letter	0	5	0
Attending Mr. Olden's Managing Clerk on his coming here to obtain the names of Parishes, &c., on the route of the proposed Line, accom- panying him and assisting him in obtaining information. Engaged all day	3	3	0
Gig Hire and Expenses			
Having received from Mr. Olden copy draft <i>Gazette</i> Notice, perusing and considering same	0	6	8
Writing Mr. Olden, suggesting one or two slight alterations therein	0	5	0
Attending Reference Clerks, advising them as to the parties whom they should employ as guides in this district, and giving them names of owners of Estate for which I am Agent ...	0	13	4
Having received from Mr. Olden copy draft Bill, perusing and considering same, per folio	0	0	4
Writing Mr. Olden, with my remarks thereon... ..	0	6	8
Having received from Mr. Olden petition for leave to bring in Bill, attending Mr. A., at his resi- dence, obtaining his signature thereto	0	13	4
Journey of Clerk to obtaining signature of Mr. D. to the same. One day	1	11	6
Gig Hire and Expenses... ..			

£ s. d.

Having received letter from Mr. Smith, Solicitor to
 C. D., Esq., stating that unless certain altera-
 tions were made in the portion of the Line
 traversing Mr. D.'s property, he would oppose
 the project to the utmost, in Parliament; making
 copy of Letter, and writing Engineer therewith
 and thereon 0 7 6

Having received Engineer's reply, stating that the
 alterations indicated entailed considerable diffi-
 culty in an engineering point of view, and
 would also involve a disturbance of the arrange-
 ments with Lord and another influential
 landowner; making copy of this correspondence,
 and writing Mr. Olden long and special letter
 therewith 0 10 0

Having received letter from Mr. Olden, informing
 me that an opposition was being organised, and
 requesting me to get up statistical evidence as
 to the requirements of the district, the traffic
 anticipated, and the general utility of the pro-
 ject, attending various parties, taking notes of
 their statements as to the evidence they would
 be able to give before Committee. Engaged
 four days 12 12 0

Travelling and Hotel Expenses

Drawing General Statement of the Evidence which
 I had collected, and as to the evidence which
 I could give, fol. 60 4 0 0

Letter therewith to Mr. Olden, and recommending
 that he should forthwith send down Petitions to
 be signed in favour of the Line 0 5 0

£ s. d.

Attending two of the Directors, who had been requested by Mr. Olden to call and confer with me as to further strengthening our case before Committee; reading over to them notes of evidence, and taking their suggestions as to additional statements which some of the witnesses would be able to give. Engaged upwards of three hours... ..	2	2	0
Writing Mr. Olden as to my interview with the two Directors, and the suggested additions to the Evidence	0	5	0
Writing Mr. as to the suggested addition to his evidence	0	5	0
Having received Petitions in favour of Bill from Mr. Olden; Clerk engaged obtaining signatures of inhabitants of , one day	1	11	6
Another Clerk engaged obtaining signatures of inhabitants in the districts of and four days	6	6	0
Paid his Expenses			
Making up Petitions and writing Mr. Olden that I had returned them to him by same Post	0	6	8
Having received letter from Mr. Olden informing me that it would be desirable for myself and the Witnesses to be in London by next Tuesday morning; writing Mr. to meet me at the Railway Station in time for the 10 o'clock train on Monday morning	0	3	6
Attending Mr. , arranging for him to accompany me to London to give evidence	0	6	8

	£	s.	d.
Journey to London: Assisting in getting up the Evidence, attending consultations with Counsel, and before the Committee, until the case was concluded; 12 days	50	8	0
Hotel Expenses (<i>including one Sunday</i>)	13	13	0
Cab and Railway Fares... ..			
Very numerous attendances upon Promoters, Land-owners, and others interested in the undertaking, calling at my office to enquire how the affair was progressing, sometimes occupying a considerable portion of my time*	£5	5s.	to 10 10 0
Letters, Postages, and Petty Cash Expenses (or according to circumstances.)	2	12	6

PAYMENT OF WITNESSES.

The following are the rates of payment generally allowed to Witnesses in Parliamentary Business; but in the case of a Country Solicitor coming to London on Railway business, or of a Civil Engineer attending to give professional evidence, and in other cases, under special circumstances, higher charges are allowed.

For Sundays, hotel expenses only are allowed. The Railway or other fares charged are supposed to be the sums actually paid; and Hotel Expenses are only allowed when the parties are at such a distance from home as to render expenses of that kind necessary.

* An item of this kind is open to objection; but it often occurs, both to the London and the country Solicitor, that a portion of his time is occupied, and his other business interrupted, by attendances which he cannot bring into the Bill of Costs; and such charge as may, under the circumstances, be fair and reasonable on that account, is admissible as a lump sum.

The charges of a Witness, made out in the form of a Bill against the party liable to pay the same, may be taxed in the same manner as the Bill of a Solicitor or Agent.

						For Time. Per Day.				Hotel Expenses.			
Accountants...	...	...	...	...	...	1	1	0	...	1	0	0	
Apothecaries	...	...	...	...	...	1	1	0	...	1	0	0	
Architects	...	...	...	...	...	2	2	0	...	1	1	0	
Auctioneers	...	...	...	...	...	1	1	0	...	1	1	0	
Barristers	...	...	...	...	...	2	2	0	...	1	1	0	
Chemists and Druggists	...	...	...	...	...	1	1	0	...	1	1	0	
Civil Engineers	...	...	...	...	...	2	2	0	...	1	1	0	
Clergymen	...	...	...	...	...	0	0	0	...	1	1	0	
Clerks	...	...	...	...	...	0	15	0	...	0	15	0	
Farmers or Yeomen	...	...	...	...	...	0	15	0	...	0	15	0	
Gentlemen	...	...	...	...	...	0	0	0	...	1	1	0	
Innkeepers	...	...	...	...	...	1	0	0	...	0	15	0	
Labourers	...	...	...	...	...	0	5	0	...	0	7	0	
Mechanics, &c.	...	...	...	...	...	0	10	0	...	0	10	0	
Officers of Army and Navy	...	...	...	...	...	1	1	0	...	1	1	0	
Physicians	...	...	...	...	...	2	2	0	...	1	1	0	
Police-Constable	...	...	...	...	...	0	5	0	...	0	7	0	
„ Sergeant or Superintendent	...	...	...	...	...	0	15	0	...	0	10	6	
Soldier, common	...	...	...	...	...	0	5	0	...	0	7	0	
Solicitors	...	...	...	...	...	2	2	0	...	1	1	0	
Surgeons	...	...	...	...	...	2	2	0	...	1	1	0	
Surveyors	...	...	...	...	...	1	1	0	...	1	1	0	
Tradesmen	...	...	...	...	...	0	15	0	...	0	15	0	

TAXATION OF COSTS.

In order to obtain the taxation of a Bill of Costs, application may be made personally at the Taxing Office of the House of Commons, or by letter to the Taxing Officer; the Bill of Costs being deposited at the same time. Application
for Taxation.

The Taxing Officer appoints a time, and the party applying for taxation is required forthwith to communicate the appointment to the other side, or to his clients as the case may be.

By whom to be made.

Application for taxation may be made either by the party charging or by the party liable to pay the costs. But no application for taxation can be entertained after a verdict has been obtained, or a writ of enquiry executed, in an action for the recovery of the same.

Time within which it must be made.

The client must apply for taxation within six months after the delivery of the Bill, otherwise he cannot tax the same, without the consent of the solicitor, unless the delay has been caused by some special circumstances, in which case the taxing master on being applied to may hear both parties, and may make a special report to the speaker.

Taxation obtained by allowing Claimant to sue.

A taxation may, however, be obtained after the expiration of six months by allowing the claimant to commence an action, and then applying to the Court in which the action is brought to refer the costs to the Taxing Officer of the House of Commons; or (especially when the claim is of a mixed character, partly Parliamentary and partly ordinary law charges), the Court may refer the Bill to its own Taxing Officer, who can request the assistance of the Taxing Officer of the House of Commons in taxing the Bill.

Amicable Taxation.

If the client, or party liable to pay the Bill of Costs, do not wish to attend the taxation, the Solicitor must produce a letter or other evidence to that effect, and the Taxing Officer, having previously perused the Bill, will not go through the same item by item, but will only require explanations as to any items which may appear exorbitant or irregular. Or the client may be represented by a Solicitor, or Agent, having instructions only to interfere in the case of any excessive or irregular charge.

Opposed Taxation

In an opposed taxation a Solicitor or Agent attends on behalf of the Client, and the Bill is gone through

seriatim, objections being made to such items as are considered irregular; or the Taxing Officer may call upon the opposing party to state the charges to which he objects.

Charges may be objected to on the ground of their exceeding those stated in the scale of charges, or those usually allowed by the Taxing Officer—of the business charged for being unnecessary, or having been performed in such a manner as unnecessarily to increase the costs—or of its being such as should not have been done without special instructions. The reasonableness of disbursements may also be challenged.

Grounds of objection to charges.

Disbursements.

Charges which may have been omitted in making out the Bill may be inserted during taxation.

Charges omitted.

The Bill of Costs having been gone through, the length of the various documents tested, and vouchers for disbursements produced, the Taxing Officer draws his report which is filed in the Taxing Office. A signed duplicate of this report is at once given to the party who applied for the taxation.

Taxing Officer's Report.

This duplicate is in ordinary cases held to be a sufficient evidence of the result of the taxation. But if an action has been, or is intended to be, commenced for the recovery of the Costs, it is desirable to have the certificate of the Speaker,* such certificate having the authority of a Warrant to confess judgment. The certificate may be obtained on the expiration of 21 days after the date of taxation, unless a memorial has been lodged against the taxation.

Evidence of Taxation.

Speaker's Certificate.

If either party be dissatisfied with the taxation, he may, within 21 days, deposit a memorial to the Speaker, setting forth the reasons of his dissatisfaction. The Speaker may endorse this memorial with a direction to the Taxing Officer to make a further report in respect of the matters objected to. Upon this second report the Speaker decides whether there are any grounds for varying the terms of the first report.

Memorial against taxation.

* See Clause 9 of the Act.]

Taxing Officer
does not fix
the liability of
parties.

The Taxing Officer has no jurisdiction as regards the liability of any party to pay the costs taxed by him. Parties may attend taxation under protest, as to their doing so being held to be an admission of their liability.

FORM OF MEMORIAL TO THE SPEAKER.

To the Right Hon. the Speaker of the House of Commons.

The Memorial of the undersigned, lately acting as
Solicitor for _____, in the promotion
(or opposition) of the _____ Railway
Bill in Parliament in the Session 1866.

Your Memorialists beg leave to appeal against the decision of the Taxing Officer of the House of Commons on the taxation of their Bill of Costs, in respect of (*giving the title of the matter*) adverted to in the annexed copy of the Report of the said Taxing Officer.

That your Memorialist appeals against the said taxation and Report, upon the following grounds:—

1st.—That, &c.

Your Memorialist respectfully submits the following reasons for his appeal:—

2nd.—That, &c.

Your Memorialist therefore requests that he may be allowed, if necessary, to produce evidence in support of his case, and that the said taxation may be amended.

Signature.

TAXATION ACT.

10 & 11 VICT. C. 69.

An Act for the more effectual Taxation of Costs
on Private Bills in the House of Commons.

[22nd July, 1847.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to establish a Taxation of Costs on Private Bills in the House of Commons, and to prohibit the Sale of certain Offices under the Sergeant at Arms attending the House of Commons:* 6 G. 4. c. 123.
And whereas it is expedient to repeal the same, and to make more effectual provision for taxing the Costs and Expenses to be charged by Parliamentary Agents, Attornies, Solicitors, and others in future Sessions of Parliament in respect of Bills subject to the Payment of Fees in Parliament, commonly called Private Bills, and to be incurred in complying with the Standing Orders of the House of Commons relative to such Bills, and in preparing, bringing in, and carrying the same through, or in opposing the same in, the House of Commons: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, except as to any Costs, Charges, and Expenses which shall have been incurred in the present or any preceding Session of Parliament, the said recited Act shall be repealed: Provided always, that the Repeal of the said recited Act shall not be construed to revive any Act or any Provision thereof which was thereby repealed.

Recited Act
6 G. 4 c. 123,
repealed.

II. And be it enacted, That no Parliamentary Agent, Attorney, or Solicitor, nor any Executor, Administrator, or Assignee, of any Parliamentary Agent, Attorney, or Solicitor, shall commence or maintain any Action or Suit for the Recovery of any Costs, Charges, or Expenses in respect of any Proceedings in the House of Commons in any future Session of Parliament relating to any Petition

Parliamentary
Agent,
Attorney, or
Solicitor not
to sue for
Costs until
One Month
after Delivery
of his Bill

for a Private Bill, or Private Bills, or in respect of complying with the Standing Orders of the said House relative thereto, or in preparing, bringing in, and carrying the same through, or opposing the same in, the House of Commons, until the expiration of One Month after such Parliamentary Agent, Attorney, or Solicitor; or Executor, Administrator, or Assignee of such Parliamentary Agent, Attorney, or Solicitor, has delivered unto the Party to be charged therewith, or sent by Post to or left for him at his Counting-house, Office of Business, Dwelling House, or last known Place of Abode, a Bill of such Costs, Charges, and Expenses, and which Bill shall either be subscribed with the proper Hand of such Parliamentary Agent, Attorney, or Solicitor, or in the case of a Partnership by any of the Partners, either with his own Name or with the Name of such Partnership, or of the Executor, Administrator, or Assignee of such Parliamentary Agent, Attorney, or Solicitor, or be enclosed in or accompanied by a Letter subscribed in like manner referring to such Bill: Provided always, that it shall not in any Case be necessary, in the first instance, for such Parliamentary Agent, Attorney, or Solicitor, or the Executor, Administrator, or Assignee of such Parliamentary Agent, Attorney, or Solicitor, in proving a Compliance with this Act to prove the Contents of the Bill delivered, sent, or left by him, but it shall be sufficient to prove that a Bill of Costs, Charges, and Expenses subscribed in manner aforesaid, or inclosed in or accompanied by such Letter as aforesaid, was delivered, sent or left in manner aforesaid; but nevertheless it shall be competent for the other Party to show that the Bill so delivered, sent, or left was not such a Bill as constituted a *bona fide* Compliance with this Act: Provided also, that it shall be lawful for any Judge of the Superior Courts of Law or Equity in *England* or *Ireland* or of the Court of Session in *Scotland*, to authorize a Parliamentary Agent, Attorney, or Solicitor, to commence an Action or Suit for the Recovery of his Costs, Charges, and Expenses against the Party chargeable therewith, although One Month has not expired from the Delivery of a Bill as

Evidence of
Delivery of
Bill.

Power to
Judge to
authorize
Action before
Expiration of
One Month.

aforesaid, on Proof to the Satisfaction of the said Judge that there is probable Cause for believing that such Party is about to quit that Part of the United Kingdom in which such Judge hath Jurisdiction.

III. And be it enacted, That the Speaker of the House of Commons shall appoint a fit Person to be the Taxing Officer of the House of Commons, and every person so appointed shall hold his Office during the pleasure of the Speaker, and shall execute the Duties of his Office conformably to such Directions as he may from Time to Time receive from the Speaker.

Taxing Officer
to be
appointed by
the Speaker.

IV. And be it enacted, That the Speaker may from Time to Time prepare a List of such Charges as it shall appear to him that, after the present Session of Parliament, Parliamentary Agents, Attornies, Solicitors, and others may justly make with reference to the several Matters comprised in such List; and the several Charges therein specified shall be the utmost Charges thenceforth to be allowed upon the Taxation of any such Bill of Costs, Charges, and Expenses in respect of the several Matters therein specified: Provided always, that the said Taxing Officer may allow all fair and reasonable Costs, Charges, and Expenses in respect of any Matters not included in such List.

The Speaker,
to prepare
List of
Charges
thenceforth to
be allowed.

V. And be it enacted, That for the Purpose of any such Taxation the said Taxing Officer may examine upon Oath any Party to such Taxation, and any Witnesses who may be examined in relation thereto, and may receive Affidavits, sworn before him or before any Master or Master Extraordinary of the High Court of Chancery, relative to such Costs, Charges, or Expenses; and any Person who on such Examination on Oath, or in any such Affidavit, shall wilfully or corruptly give false Evidence, shall be liable to the Penalties of wilful and corrupt Perjury.

Taxing Officer
empowered to
examine
Parties and
Witnesses on
Oath.

Taxing Officer
empowered to
call for
Books and
Papers.

VI. And be it enacted, That the said Taxing Officer shall be empowered to call for the Production of any Books or Writings in the Hands of any Party to such Taxation relating to the Matters of such Taxation: Provided always, that nothing herein contained shall be construed to authorize such Taxing Officer to determine the Amount of Fees which may have been payable to the House of Commons in respect of the Proceedings upon any Private Bill.

Taxing Officer
to take such
Fees as may
be allowed by
House of
Commons

VII. And be it enacted, That it shall be lawful for the said Taxing Officer to demand and receive for any such Taxation such Fees as the House of Commons may from Time to Time by any Standing Order authorize and direct, and to charge the said Fees, and also to award Costs of such Taxation against either Party to such Taxation, or in such Proportion against each Party as he may think fit, and he shall pay and apply the Fees so received by him in such Manner as shall be directed by any such Standing Order as aforesaid.

Application of
Fees.

On Applica-
tion of Party
chargeable, or
on Application
of Parliam-
entary
Agent,
Attorney, or
Solicitor, the
Taxing Officer
to tax the
Bill.

VIII. And be it enacted, That if any Person upon whom any Demand shall be made by any Parliamentary Agent, Attorney, or Solicitor, or Executor, Administrator, or Assignee of such Parliamentary Agent, Attorney, or Solicitor, or other Person, for any Costs, Charges, or Expenses in respect of any Proceedings in the House of Commons in any future Session of Parliament relating to any Petition for a Private Bill, or Private Bills, or in respect of complying with the Standing Orders of the said House relative thereto, or in preparing, bringing in, or carrying the same through, or in opposing the same in the House of Commons, or if any Parliamentary Agent, Attorney, or Solicitor, or the Executor, Administrator, or Assignee of such Parliamentary Agent, Attorney, or Solicitor, or other Person, who shall be aggrieved by the Non-payment of any Costs, Charges, and Expenses incurred or charged by him in respect of any such Proceedings as aforesaid, shall make application to the said Taxing Officer at his Office for the Taxation of such Costs, Charges, and Expenses,

the said Taxing Officer, on receiving a true Copy of the Bill of such Costs, Charges, and Expenses which shall have been duly delivered as aforesaid to the Party charged therewith, shall in due course proceed to tax and settle the same; and upon every such Taxation, if either the Parliamentary Agent, Attorney, or Solicitor, or the Executor, Administrator, or Assignee of such Parliamentary Agent, Attorney, or Solicitor, or other Person, by whom such Demand shall be made as aforesaid, or the Party charged with such Bill of Costs, Charges, and Expenses, having due Notice, shall refuse or neglect to attend such Taxation, the said Taxing Officer may proceed to tax and settle such Bill and Demand *ex parte*; and if pending such Taxation any Action or other Proceeding shall be commenced for the Recovery of such Bill of Costs, Charges, and Expenses, the Court or Judge before whom the same shall be brought shall stay all Proceedings thereon until the Amount of such Bill shall have been duly certified by the Speaker as hereinafter provided: Provided always, that no such Application shall be entertained by the said Taxing Officer if made by the Party charged with such Bill after a Verdict shall have been obtained or a Writ of Inquiry executed in any Action for the Recovery of the Demand of any such Parliamentary Agent, Attorney, or Solicitor, or the Executor, Administrator, or Assignee of such Parliamentary Agent, Attorney, or Solicitor, or other Person, or after the Expiration of Six Months after such Bill shall have been delivered, sent, or left as aforesaid: Provided also, that if any such Application shall be made after the Expiration of Six Months as aforesaid, it shall be lawful for the Speaker, if he shall so think fit, on receiving a Report of special circumstances from the said Taxing Officer, to direct such Bill to be taxed.

No Application
to be
entertained
by Taxing
Officer after
Verdict
obtained.

IX. And be it enacted, That the said Taxing Officer shall, if required by either Party, report his Taxation to the Speaker, and in such Report shall state the Amount fairly chargeable in respect of such Costs, Charges, and Expenses, together

Taxing Officer
to report to
the Speaker.

If either Party complain of Report, they may deposit a Memorial, and the Speaker may require a further Report.

If no Memorial deposited, Speaker may issue Certificate of the Amount found due.

Certificate to have the Effect of a Warrant to confess Judgment.

Construction of certain Words in this Act.

with the Amount of Costs and Fees payable in respect of such Taxation as aforesaid; and within Twenty-one clear Days after any such Report shall have been made either Party may deposit in the Office of the said Taxing Officer a Memorial, addressed to the Speaker, complaining of such Report or any Part thereof, and the Speaker may, if he shall so think fit, refer the same, together with such Report, to the said Taxing Officer, and may require a further Report in relation thereto, and on receiving, such further Report may direct the said Taxing Officer, if necessary, to amend his Report; and if no such Memorial be deposited as aforesaid, or so soon as the Matters complained of in any such Memorial shall have been finally disposed of, the Speaker shall, upon Application made to him deliver to the Party concerned therein, and requiring the same, a Certificate of the Amount so ascertained, which Certificate shall be binding and conclusive on the Parties as to the Matters comprised in such Taxation, and as to the Amount of such Costs, Charges, and Expenses, and of the Costs and Fees payable in respect of such Taxation, in all Proceedings at Law or in Equity or otherwise; and in any Action or other Proceeding brought for the Recovery of the Amount so certified such Certificate shall have the Effect of a Warrant of Attorney to confess Judgment; and the Court in which such Action shall be commenced, or any Judge thereof, shall, on Production of such Certificate, order Judgment to be entered up for the Sum specified in such Certificate in like Manner as if the Defendant in any such Action had signed a Warrant to confess Judgment in such Action to that Amount: Provided always, that if such Defendant shall have pleaded that he is not liable to the Payment of such Costs, Charges, and Expenses, such Certificate shall be conclusive only as to the Amount thereof which shall be payable by such Defendant in case the Plaintiff shall in such Action recover the same.

X. And be it enacted, That in the Construction of this Act the Word "Month" shall be taken to mean a Calendar Month; and every Word importing the Singular Number only

shall extend and be applied to several Persons, Matters, or Things as well as one Person, Matter, or Thing; and every Word importing the Plural Number shall extend and be applied to one Person, Matter, or Thing as well as several Persons, Matters, or Things; and every word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male; and the Word "Person" shall extend to any Body Politic, Corporate, or Collegiate, Municipal, Civil, or Ecclesiastical, Aggregate or Sole, as well as an Individual; and the Word "Oath" shall include Affirmation in the Case of Quakers, and any Declaration lawfully substituted for an Oath in the Case of any other Person allowed by Law to make a Declaration instead of taking an Oath unless in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

XI. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal and other Instruments, it shall be sufficient to use the Expression "The House of Commons Costs Taxation Act, 1847." Form of citing the Act.

XII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

The following clauses of 12 & 13 Vic., c. 78 ("An Act for the more effectual Taxation of Costs on Private Bills in the House of Lords, and to facilitate the Taxation of other Costs on Private Bills in certain Cases") have also reference to the Taxation of Costs in Railway Cases.

Taxing Officer of either House may tax Costs not otherwise taxable under the Act by virtue of which any Bill shall be taxed; and may request other Officers to assist him.

X. And be it enacted, That if any Bill of Costs taxable by virtue of this Act, or of "The House of Commons Costs Taxation Act, 1847," shall comprise any Costs, Charges, and Expenses incurred in respect of a Private Bill, but not taxable by virtue of the Act in pursuance whereof such Bill shall come to be taxed, it shall be lawful for the Taxing Officer of the House of Lords, or for the Taxing Officer of the House of Commons, as the Case may be, either to tax and settle such last-mentioned Costs, Charges, and Expenses, or to request the Taxing Officer of the other House of Parliament, or the proper Officer of any other Court having such an Officer, to assist him in taxing and settling any Part of such Bill; and such Officer so requested shall thereupon proceed to tax and settle the same, and shall return the same, with his Opinion thereupon, to the Officer who shall have so requested him to tax and settle the same; and in taxing such Costs, Charges, and Expenses the Taxing Officer of the House of Lords and the Taxing Officer of the House of Commons respectively shall have the same Powers and may receive the same Fees in respect of such Taxation as if such Costs, Charges, and Expenses were taxable by virtue of this Act, or of the "House of Commons Costs Taxation Act, 1847," as the Case may be; and the proper Officer of any Court so requested to tax the same shall have the same Powers and may receive the same Fees as upon a Reference from the Court of which he is such Officer.

Such Officers to have the same Powers as in taxing other Costs.

Taxing Officers to include certain Costs in their Report, and Certificates of the Amount to be delivered

XI. And be it enacted, That the Taxing Officer of the House of Lords, or the Taxing Officer of the House of Commons, as the Case may be, may include the Amount of such last-mentioned Costs, Charges, and Expenses in the Report of his Taxation of any such Bill of Costs; and in case the Clerk

of the Parliaments or Clerk Assistant, or the Speaker of the House of Commons, as the Case may be, shall deliver a Certificate of the Amount so ascertained and declared in such Report, including such last-mentioned Costs, Charges, and Expenses, such Certificate shall have the same Force and Effect as if the whole of such Bill of Costs were taxable by virtue of the Act in pursuance whereof such Certificate shall be so delivered.

XII. And be it enacted, That in case the Taxing Officer of the House of Lords, or the Taxing Officer of the House of Commons, shall be requested by the proper Officer of any other Court to assist him in taxing and settling any Costs, Charges, and Expenses incurred in respect of a Private Bill, being Part of any Bill of Costs which shall have been referred to him by the Court of which he is such Officer, such Taxing Officer so requested shall thereupon proceed to tax and settle the same, and shall return the same, with his Opinion thereupon, to the Officer who shall have so requested him to tax and settle the same, and shall have the same Powers and may receive the same Fees in respect of such Taxation as if Application had been made to him for the Taxation thereof in pursuance of this Act, or of the "House of Commons Costs Taxation Act, 1847," as the Case may be.

Officers of other Courts may request the Taxing Officer of either House to tax Parts of Bills.

XIII. And be it enacted, That it shall be lawful for the Taxing Officer of the House of Lords and for the Taxing Officer of the House of Commons to take an Account between the Parties to any Taxation under this Act or the "House of Commons Costs Taxation Act, 1847," of all Sums of Money paid or received in respect of any Bill of Costs which is the Subject of such Taxation, or any Matters contained therein, and to report the Amount of all such Sums of Money and the Amount due in respect of such Bills of Costs.

Taxing Officer of either House may take an Account between the Parties.

The Author respectfully offers his services to draw, revise, or to attend to the Taxation of Bills of Costs. Letters addressed to him, at the Publisher's, 34, Parliament Street, Westminster, will receive immediate attention.

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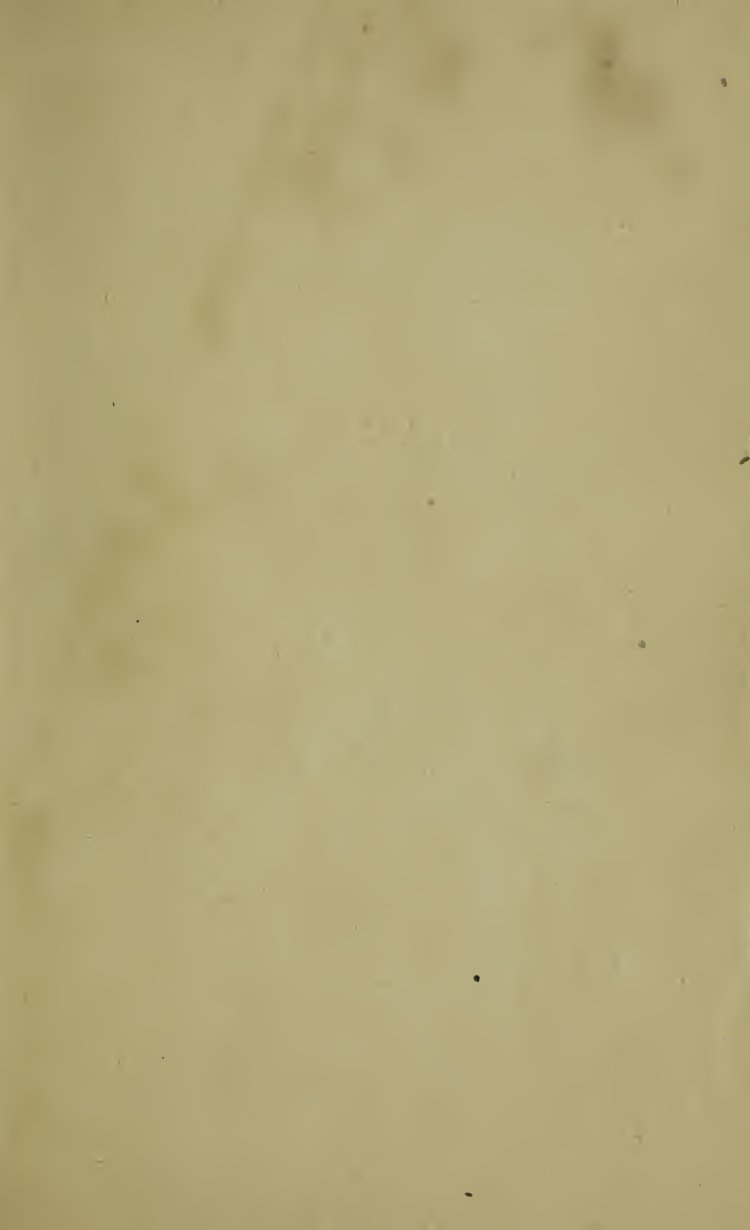
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